

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

<b>UNITED STATES OF AMERICA,</b>	:	
<i>Appellant</i>	:	<b>Nos. 22-3038</b>
	:	<b>22-3039</b>
v.	:	<b>22-3041</b>
	:	
<b>JOSEPH W. FISCHER,</b>	:	
<b>EDWARD LANG, and</b>	:	
<b>GARRET MILLER</b>	:	
<i>Appellee</i>	:	

**UNOPPOSED MOTION FOR 7-DAY EXTENSION OF TIME  
WITHIN WHICH TO FILE BRIEF OF APPELLEE**

Appellees, Joseph W. Fischer, Edward Lang, and Garret Miller, through undersigned counsel, respectfully move this Court, pursuant to Circuit Rule 28(e), for a 7-day extension of time to and including September 14, 2022, in which to file their responsive brief. Counsel for Appellant, James I. Pearce, U.S. Department of Justice, has no objection to the relief requested in the instant motion.

In support of this motion, appellees state as follows:

1. On March 15, 2022, the district court entered an order, granting defense motion to dismiss count 3 of Joseph W. Fischer's indictment. And on May 30, 2022, the district court denied the government's motion for reconsideration. This appeal followed.

2. By this Court's order of August 1, 2022, this appeal was consolidated with *United States v. Edward Jacob Lang*, No. 22-3039, and *United States v. Garret Miller*, No. 22-3041.
3. As part of the consolidation order, this Court set the deadline for filing a brief of appellee for September 7, 2022.
4. Undersigned counsel, along with counsel for appellee Lang and appellee Miller, are endeavoring to submit a single consolidated brief in this matter. For this reason and in the interest of judicial economy, counsel for the Appellees request an additional 7 days to further coordinate in this effort.
5. Counsel for Appellees Edward Jacob Lang and Garret Miller concur in this extension request.

For these reasons, Appellees respectfully request that this Court grant their motion for a 7-day extension of time to file Appellees' brief to and including September 14, 2022.

Respectfully submitted,

Date: August 26, 2022

/s/ Frederick W. Ulrich  
FREDERICK W. ULRICH, ESQ.  
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Counsel for Appellee

**CERTIFICATE OF COMPLIANCE WITH TYPE VOLUME LIMIT**

I hereby certify, pursuant to Fed. R. App. P. 32(g) and Fed. R. App. P. 27(d)(2)(A), that the foregoing Unopposed Motion for Extension of Time Within Which to File Brief of Appellee was prepared in Century Schoolbook 14-point font and contains 535 words.

/s/ Frederick W. Ulrich  
FREDERICK W. ULRICH

**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing Unopposed Motion for Extension of Time Within Which to File Brief of Appellee with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the appellate CM/ECF system on August 26, 2022, James I. Pearce, U.S. Department of Justice, counsel for appellant, [james.pearce@usdoj.gov](mailto:james.pearce@usdoj.gov), who is a registered CM/ECF user, will be served by the appellate CM/ECF system. Counsel for Appellee Garret Miller, Nicholas D. Smith, [nds@davidbsmithpllc.com](mailto:nds@davidbsmithpllc.com), who is a registered CM/ECF user, will be served by the appellate CM/ECF system. Counsel for Appellee Edward J. Lang, Steven A. Metcalf, II, will be served by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania.

/s/ Frederick W. Ulrich  
FREDERICK W. ULRICH